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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PU020316	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US03/18148	International filing date (day/month/year) 10 June 2003 (10.06.2003)	Priority date (day/month/year) 27 June 2002 (27.06.2002)
International Patent Classification (IPC) or national classification and IPC IPC(7): H04N 7/025, 7/10 and US Cl.: 725/33		
Applicant THOMSON LICENSING, S.A.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the

PCT).

These annexes consist of a total of ___ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of report with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 23 January 2004 (23.01.2004)	Date of completion of this report 02 September 2004 (02.09.2004)
Name and mailing address of the IPEA/US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703) 305-3230	Authorized officer John W. Miller <i>Renee L. Ward</i> Telephone No. 703-308-HELP

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

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I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed.
- ☒ the description:
 pages 1-13 as originally filed
 pages NONE, filed with the demand
 pages NONE, filed with the letter of _____.
- ☒ the claims:
 pages 14-17, as originally filed
 pages NONE, as amended (together with any statement) under Article 19
 pages NONE, filed with the demand
 pages NONE, filed with the letter of _____.
- ☒ the drawings:
 pages 1-3, as originally filed
 pages NONE, filed with the demand
 pages NONE, filed with the letter of _____.
- ☐ the sequence listing part of the description:
 pages NONE, as originally filed
 pages NONE, filed with the demand
 pages NONE, filed with the letter of _____.

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in printed form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages NONE
- ☐ the claims, Nos. NONE
- ☐ the drawings, sheets/fig NONE

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. STATEMENT

Novelty (N)

Claims 3, 4, 6-9, 13, 14, 16-19, 23, 24, 26-29 YES

Claims 1, 2, 5, 10, 11, 12, 15, 20, 21, 22, 25, 30 NO

Inventive Step (IS)

Claims NONE YES

Claims 1-30 NO

Industrial Applicability (IA)

Claims 1-30 YES

Claims NONE NO

2. CITATIONS AND EXPLANATIONS

Please See Continuation Sheet

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Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

1. Claims 1, 2, 5, 10, 11, 12, 15, 20, 21, 22, 25, and 30 lack novelty under PCT Article 33(2) as being anticipated by Vanderable (US Pat No. 6,204,761).

With respect to claims 1, 11, 21, the reference discloses a "television signal receiver" [10] comprising a "tuner" [12] that is operative to "tune a frequency including emergency alert signals indicating an emergency event" (Col 3, Lines 36-49) and a "memory" [48] that is operable to "receive and store updated information associated with the emergency alert function" (Col 4, Lines 18-28).

Claims 2, 12, and 22 lack novelty wherein the "updated information comprises geographical area information" (Col 4, Lines 18-28).

Claims 5, 15, and 25 lack novelty wherein the "updated information is provided via a website" (Col 3, Lines 56-60).

Claims 10, 20, and 30 lack novelty wherein the "updated information is used to setup the emergency alert function" (Figure 3).

2. Claims 3, 6, 7, 13, 16, 17, 23, 26, and 27 lack an inventive step under PCT Article 33(3) as being obvious over Vanderable (US Pat No. 6,204,761).

With respect to claims 3, 13, and 23, the particular usage of a "FIPS location code" as an identification means for identifying a "geographical area information" would have been obvious given the usage of such is well-known in conjunction with SAME format (Col 4, Lines 9-17).

In consideration of claims 6, 7, 16, 17, 26, and 27, the embodiment further comprises a "processor" [22] that "enables a connection responsive to the emergency alert signals" and further "provides an alert output" in the form of such a connection in addition to a visual and/or audible alert [18/20]. Such a connection is disclosed to be to a preselected location to be displayed on a computer monitor (Col 5, Lines 18-23). Accordingly, it would have been obvious that a preselected connection presented via a computer monitor may be construed as a pre-defined "web site" on the Internet [24].

3. Claims 4, 9, 14, 19, 24, and 29 lack an inventive step under PCT Article 33(3) as being obvious over Vanderable (US Pat No. 6,204,761) in view of Kawaguchi et al. (US Pat No. 6,271,893).

With respect to claims 4, 14, and 24, as aforementioned, the Vanderable reference discloses the use of a "pre-determined" frequency or channel with which to tune in order to receive emergency alerts. The Kawaguchi et al. reference discloses that "updated information comprises transmission frequency information" in conjunction with the channel to be tuned in response to an emergency

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Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

alert (Col 7, Lines 24-43). Accordingly, it would have been obvious to further provide a "up dated information" comprising "transmis sion frequency information" so as to provide flexibility when tuning to a particular channel on which the alert is being broadcast.

With respect to claims 9, 19, and 29, the "u pdated information is automatically provided on a periodic basis" (Kawaguchi et al.: Col 6, Lines 23-25).

4. Claims 8, 18, and 28 lack an inventive step under PCT Article 33(3) as being obvious over Vanderable (US Pat No. 6,204,761) in view of Butler et al. (US Pub No. 2002/00074793).

With respect to claims 8, 18, and 28, as aforementioned the Vanderable reference discloses that the usage of a predetermined website being accessed in conjunction with the retrieval of alert information. The Butler et al. reference discloses the transmission of "hyp erlink data that enables access to the website" (Paras. 22 and 49). Accordingly, it would have been obvious to further provide a means to transmit "h yperlink data that enables access to the website" for providing flexibility in retrieving emergency information and/or providing the information via the currently tuned channel.

5. Claims 1-30 meet the criteria set out in PCT Article 33(4), and thus have industrial applicability because the subject matter claimed can be made or used in industry.

NEW CITATIONS

NONE